UNITED STATES DISTRICT (EASTERN DISTRICT OF NEV	V YORK	v	
GARY LA BARBERA, et al.,		: :	
	Plaintiffs,	: :	SUMMARY ORDER
- against -		: :	08-CV-3983 (DLI)(VVP)
MARIAN DOUGLAS SMITH,		: :	
	Defendant.	: Y	
DORA L. IRIZARRY, United		**	

On December 7, 2011, the Honorable Andrew L. Carter, U.S.M.J., issued a Report and Recommendation ("R&R") with regard to plaintiffs' request for unpaid contributions, damages, attorneys' fees, and costs against defendant Marian Douglas Smith. No objections to the R&R have been filed.

Upon due consideration, the Report and the Recommendations contained therein are hereby adopted in their entirety. Accordingly, it is hereby ORDERED that the Clerk of the Court enter judgment for plaintiff in the total amount of \$829,765.69, comprised of: (1) \$340,485.00 in unpaid contributions; (2) \$194,817.92 in interest (\$140,918.81 for the period of 11/28/08 through 3/16/11, and \$53,899.11 for the period of 3/17/11 to the date of this Order¹); (3) \$194,817.92 in additional damages; (4) \$97,151.80 in attorneys' fees; and (5) \$2,493.05 in costs.

SO ORDERED.

Dated: Brooklyn, New York February 1, 2012

/:

DORA L. IRIZARRY United States District Judge

¹ The court updates the calculations in the R&R and calculates the total interest due from 3/17/11 through 2/1/12, the date of this Order, at \$167.91/day for 321 days, or \$53,899.11.

² The magistrate judge recommended that the court award additional damages in an amount equal to the interest on the unpaid contributions, which was calculated at the time as \$140,918.81. The court adopts this recommendation and updates this amount to reflect the current amount of interest due on the unpaid contributions.